

Art Unit: 1645

DETAILED ACTION

1. The last entered form of the claims was received 23 March 2009.
2. Claims 1-8, 10-21, 23, 24, 26-28 and 30 are pending and under consideration.

EXAMINER'S AMENDMENT

3. An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on 23 June 2009, Joseph M. Lafata, Reg. No. 37,166, requested an extension of time and authorized the Director to charge Deposit Account No. 08-0750 the required fee for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

IN THE CLAIMS:

10. (Currently Amended) The vaccine or immunogenic composition of claim 8, further comprising a pharmaceutically acceptable carrier.
23. (Currently Amended) The medium composition of claim 21, further comprising:
 - (a) a carbon source;
 - (b) iron;
 - (c) magnesium; and
 - (d) [~~S~~O₄] SO₄.

Cancel claims 26 and 27.

Art Unit: 1645

Rejections Moot

4. The rejection of claims 26 and 27 under 35 U.S.C. 112, second paragraph, indefiniteness for "a selective medium" is moot in light of the cancellation of the claims.

Conclusion

5. Claims 1-8, 10-21, 23, 24, 28 and 30 are allowed.

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Rodney P. Swartz, Ph.D., Art Unit 1645, whose telephone number is (571) 272-0865. The examiner can normally be reached on Monday through Wednesday from 9:00 AM to 7:30 PM EST. Thursday is the examiner's work at home day.

If attempts to reach the Examiner by telephone are unsuccessful, please contact the Examiner's Supervisor, Robert B. Mondesi (571)272-0956.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Rodney P. Swartz, Ph.D./

Primary Examiner, Art Unit 1645

July 2, 2009